LEGISLATIVE SERVICES AGENCY

OFFICE OF FISCAL AND MANAGEMENT ANALYSIS

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
http://www.in.gov/legislative

FISCAL IMPACT STATEMENT

LS 7330 **NOTE PREPARED:** Jan 21, 2011
BILL NUMBER: HB 1562 **BILL AMENDED:**

SUBJECT: Parole and Probation Program Incentives.

FIRST AUTHOR: Rep. VanNatter **BILL STATUS:** As Introduced
FIRST SPONSOR:

FUNDS AFFECTED: X GENERAL **IMPACT:** State & Local
DEDICATED
FEDERAL

Summary of Legislation: This bill provides for a distribution of an incentive grant to the department or a local program supervising parolees and probationers in any state fiscal year in which the state experienced a reduction in expenditures due to a decrease in the costs of confining supervised individuals who violated a condition of supervision or were convicted of a new felony offense in the immediately preceding state fiscal year. It also makes an appropriation.

Effective Date: July 1, 2011.

Explanation of State Expenditures: Any appropriations made under this bill will depend on whether offender population or expenditures of the Department of Correction (DOC) decline.

The State Budget Agency would make two calculations at the end of FY 2012: (1) whether there was a decline in the offender population in DOC facilities and (2) whether there was a decline in DOC's expenditures between FY 2012 and FY 2011. The Budget Agency would make ongoing calculations for each subsequent fiscal year to compare commitments for new felonies and for technical violations to the baseline year (FY 2011).

If there are fewer offenders in DOC facilities in FY 2012 than in FY 2011, the Budget Agency will determine the savings that can be attributed to the smaller population.

If operating costs were reduced, the State Budget Agency will award 90% of any costs that the Budget Agency determined that DOC avoided to the supervising agencies that were responsible for the savings. The awards will be proportional to the contribution that the supervising agency made in reducing the committed population in DOC.

Since offenders who are released on parole are supervised by DOC employees, the state would retain any savings because of fewer offenders on parole being recommitted for technical violations. Supervising agencies will generally be either probation programs or community corrections agencies.

It is likely that offender population size directly affects the following costs:
- The number of correctional officers and non-supervising staff, holding salaries constant.
- Clothing.
- Food.
- Medical services.

Other costs, such as utility rate increases and contracts with outside vendors would presumably not be considered as relevant.

If there was a decline in expenditures, then the State Budget Agency will determine whether any of the spending reduction occurred because of fewer committed offenders. If the reduction occurred because of fewer offenders, then the State Budget Agency will award 90% of the costs avoided to the responsible supervising program.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues: See *Explanation of State Expenditures*.

State Agencies Affected: State Budget Agency; Department of Correction

Local Agencies Affected: Probation Departments.

Information Sources:

Fiscal Analyst: Mark Goodpaster, 317-232-9852.